

**REMARKS**

Claims 1-20 are all the claims presently pending in the application. Claims 1-2, 4-6, 10-11, 14, and 17 are amended to more clearly define the invention and claims 19-20 are added. Claims 1, 4, 6, and 14 are independent.

These amendments are made only to more particularly point out the invention for the Examiner and not for narrowing the scope of the claims or for any reason related to a statutory requirement for patentability.

Applicant also notes that, notwithstanding any claim amendments herein or later during prosecution, Applicant's intent is to encompass equivalents of all claim elements.

Claims 1-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Logan et al. reference in view of the Leeke et al. reference and in further view of the Bates et al. reference.

This rejection is respectfully traversed in the following discussion.

**I. THE CLAIMED INVENTION**

A first exemplary embodiment of the claimed invention, as defined by, for example, independent claim 1, is directed to a voice banner advertisement system for performing an advertisement with voice. The system includes a Web server and a user terminal. The Web server includes a Web page data transmission means for constituting Web page data comprising contents data and banner advertisement data to be offered to a user and transmitting the Web page data, and history information recording means for recording as history information the number of times which a banner advertisement is transmitted. The user terminal includes a communication means for performing data communication with the Web server through a network, voice synthesis means for extracting the banner advertisement

data from Web page data received from the Web server, and converting the extracted banner advertisement data into voice by voice synthesis to utter the extracted banner advertisement data, and display means for displaying the Web page data received from the Web server. A display area of the display means is maximized by uttering the extracted advertising data and displaying only the contents data of the Web page data received from the Web server. The Web page data transmission means constitutes the Web page data comprising content data and banner advertisement data in response to the Web server receiving a Uniform Resource Locator from the user terminal.

A second exemplary embodiment of the claimed invention, as defined by, for example, independent claim 4, is directed to a user terminal for uttering received advertisement data with voice. The user terminal includes communication means for performing data communication with a Web server through a network, Web page browsing means for receiving Web page data offered by the Web server to browse the Web page data, the Web page data comprising contents data and banner advertising data, voice synthesis means for extracting the banner advertisement data from the received Web page data and converting the banner advertisement data into voice by voice synthesis to utter the extracted banner advertisement data, and display means for displaying the Web page data received from the Web server. A display area of the display means is maximized by uttering the extracted banner advertisement data and displaying only the contents data of the Web page data received from the Web server. The communication means transmits a voice synthesis operation setting that indicates an operating status of the voice synthesis means, and the Web page data includes the banner advertising data only when the voice synthesis operation setting indicates that the voice synthesis means is operable.

Conventional Web-based advertisement systems have provided Web page data with

banner advertisements having a large image which consumes a large amount of space of the viewing area of a Web browser. This is particularly a problem with devices having small display. The space available for the content to be displayed by a small display may be consumed entirely by an image in the banner advertisement.

In stark contrast, an exemplary embodiment of the present invention provides a Web server that constitutes Web page data that includes content data and banner advertisement data in response to the Web server receiving a Uniform Resource Locator from a user terminal. In this manner, an information offerer may separately manage the banner advertisement from the content data, and the Web page data is only generated upon a reception by the Web server of a Uniform Resource Locator. Thus, the Web page data remains consistently updated with the banner advertisement data. (Page 5, lines 17 – 24).

Further, another exemplary embodiment of the present invention provides a user terminal that transmits a setting that indicates the operating status of a voice synthesizer and that the Web page data includes the banner advertising data only when the setting indicates that the voice synthesizer is operational. In this manner, whether the Web page data includes the banner advertising data or not is determined based upon the current operating status of the voice synthesizer.

## **II. THE PRIOR ART REJECTION**

The Examiner alleges that the Leeke et al. reference would have been combined with the Logan et al. reference and further alleges that the Bates et al. reference would have been combined with the Leeke et al. reference and the Logan et al. reference to form the claimed invention. Applicant submits, however, that these references would not have been combined and, even if combined, the combination would not teach or suggest each and every element of

the claimed invention.

None of the applied references teaches or suggests the features of the claimed invention including: 1) a Web server that constitutes Web page data that includes content data and banner advertisement data in response to the Web server receiving a Uniform Resource Locator from a user terminal (claims 1 and 6); and 2) a user terminal that transmits a setting that indicates the operating status of a voice synthesizer where the Web page data includes the banner advertising data only when the setting indicates that the voice synthesizer is operational (claims 4 and 14). As explained above, these features are important for separately managing the banner advertisement data from the content data, ensuring the Web page data is consistently updated with current banner advertisement data, and for determining whether the Web page data includes the banner advertisement data at all based upon a current operating status of a voice synthesizer.

In stark contrast, the Logan et al. reference discloses HTML server 129 and Web page storage 141 in a host computer with which an audio player 103 may register and select which of the files being stored in program data library 130 will be downloaded to the audio player 103 for later presentation.

The HTML server 129 in the host computer 101 does not generate any Web page data which incorporates any of the files in the program data library 130. Rather, the HTML server 129 merely operates as a user interface with which the audio player 103 may select which files will be downloaded and when those files may be downloaded.

Once the user determines which files from the program data library 130 will be forwarded, the download processor 151 generates a compilation of all of the selected files and stores the compilation in the download compilation storage 145. Subsequently, the FTP server 125 communicates with the audio player 103 and transmits the compilation of files to

the audio player 103.

Clearly the FTP server is not capable of generating Web page data.

Applicant notes that the Logan et al. reference discloses the ability to create a program file in an HTML format with reference to Figures 6 and 7. The resultant HTML file is stored in the program data library 130 and is made available for subsequent selection by the audio player.

The Logan et al. reference discloses that any such HTML file generated in this manner is transmitted to the audio player 103 using the FTP server and that the HTML file may then be viewed using a Web browser at the audio player 103.

This stands in stark contrast to the present invention which generates Web page data in response to a Web server receiving a Uniform Resource Locator from a user terminal.

The Logan et al. reference clearly does not teach or suggest that any HTML file is generated in response to a Web server receiving a URL from a user terminal. Rather, the HTML files that are disclosed by the Logan et al. reference are generated and placed in a program library by a program producer to facilitate interactive program content which may form a structured database of articles from which individuals may receive the articles. (Col. 35, lines 57 – 64).

The HTML documents that are generated by the system in the Logan et al. reference are programs or program segments which are placed in a program library where it is made available for downloading by subscribers. (Col. 40, lines 9 – 12). The HTML is used to express narrative text in a manner which facilitates the compilation of constituent parts of a program segment (col. 40, lines 28 – 30).

Clearly, the HTML documents that are disclosed by the Logan et al. reference are not generated in response to receiving a URL from a user terminal.

Further, none of the applied references teaches or suggests a user terminal that transmits a setting that indicates the operating status of a voice synthesizer where the Web page data includes the banner advertising data only when the setting indicates that the voice synthesizer is operational.

The Examiner alleges that the Logan et al. reference discloses constituting Web page data on the basis of setting contents. In particular, the Examiner references column 7, lines 8-21 in support for the allegation. This portion of the Logan et al. reference discloses that a subscriber may provide personal information and initial programming preferences and that based upon that information the server compiles one or more files for subsequent downloading “using the FTP server 125.”

The Logan et al. reference clearly does not teach or suggest a user terminal that transmits a setting that indicates the operating status of a voice synthesizer, therefore, the system disclosed by the Logan et al. reference cannot possibly provide Web page data that includes the banner advertising data only when the setting indicates that the voice synthesizer is operational.

While the Examiner alleges that a functionality for a speech synthesis capable apparatus would be a means by which to activate and de-activate the speech synthesis capability, none of the applied references teaches or suggests forwarding such a setting to a Web server, let alone determining whether Web page data includes advertising data based upon the setting.

None of the applied references teaches or suggests a user terminal that transmits a setting that indicates the operating status of a voice synthesizer where the Web page data includes the banner advertising data only when the setting indicates that the voice synthesizer is operational.

Moreover, Applicant submits that these references would not have been combined as alleged by the Examiner. Indeed, the references are directed to completely different matters and problems.

In particular, the Logan et al. reference is concerned with providing a system which utilizes the data transmission capabilities of the Internet to distribute, collect and exchange information in the form of audio recordings (col. 1, lines 29 – 33).

In stark contrast, the Bates et al. reference is concerned with the completely different and unrelated problem of displaying an advertisement on at least a portion of a scroll bar such that advertising messages may be conveyed with minimal impact on available space on a computer display. (Col. 2, lines 30 – 36).

In contrast to the Logan et al. reference and the Bates et al. reference, the Leeke et al. reference is concerned with the completely different and unrelated problem of providing personalized content to a user based upon a user profile where playback of the second content is synchronized with the first content. (Abstract).

One of ordinary skill in the art who was concerned with providing a system which utilizes the data transmission capabilities of the Internet to distribute, collect and exchange information in the form of audio recordings as the Logan et al. reference would not have referred to the Bates et al. reference or the Logan et al. reference, and vice-versa, because the the Bates et al. reference is concerned with the completely different and unrelated problem of displaying an advertisement on at least a portion of a scroll bar such that advertising messages may be conveyed with minimal impact on available space on a computer display and the the Leeke et al. reference is concerned with the completely different and unrelated problem of providing personalized content to a user based upon a user profile where playback of the second content is synchronized with the first content. Thus, these references would not

have been combined.

Therefore, the Examiner is respectfully requested to withdraw the rejection of claims 1-18.

### III. FORMAL MATTERS AND CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that claims 1-20, all the claims presently pending in the Application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

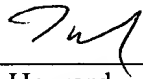
Should the Examiner find the Application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Date:

7/13/04

Respectfully Submitted,

  
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